

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JERMAINE DAVID RICHARDSON,

Defendant.

CR 18-110-BLG-SPW-TJC

ORDER

On October 31, 2018, U.S. District Court Judge Susan P. Watters referred Defendant Jermaine David Richardson's Motion to Suppress (Doc. 24) to the undersigned for purposes of conducting a hearing and issuing findings and recommendations. (Doc. 28.) On December 26, 2018 this Court recommended that Judge Watters grant Defendant Richardson's Motion to Suppress. (Doc. 40.)

The government objected to this Court's findings and recommendations, and argued the evidence should not be suppressed based on the independent source rule. (Doc. 44.) The government did not previously argue the application of the independent source rule. Therefore, Judge Watters referred the motion back to the undersigned to conduct an independent source rule analysis. (Doc. 47.)

Since this issue was not raised previously, Defendant Richardson has not had an opportunity to respond to the government's arguments on this issue.

Accordingly, IT IS ORDERED that Defendant Richardson has fourteen (14) days

from the date of this Order to respond to the government's argument that suppression is not warranted based on the independent source rule.

DATED this 17th day of January, 2019.



TIMOTHY J. CAVAN
United States Magistrate Judge